

## WATER WATER EVERYWHERE



**SUMMER WEATHER** arrived yesterday, even if the calendar didn't say so. Just ask Ben Aronowitz of Riverdale, who finds a fine spot to cool off. The temperature broke 90 for the first time this year and hit 91. It may not last — we're in for a high of 75 today, the weather professionals tell us.

MICHAEL SCHWARTZ

# Top court to hear artist brewhaha

By JANE FURSE  
Daily News Staff Writer

Amtrak's decision to can a Penn Station billboard attack on the Coors beer company is going all the way to the Supreme Court.

The justices have agreed to give artist Michael Lebron his day in the nation's highest court.

He'll argue that Amtrak officials violated his First Amendment rights when they refused to rent him space on a huge Penn Station billboard to attack the beer company's right-wing causes.

The billboard "struck me as an ideal location to reach a broad and varied audience that doesn't necessarily go to museums," Lebron told the Daily News yesterday.

"I'm pleased the court recognized the significance of the issues we're trying to bring to their attention, and I'm hoping they'll agree. . . .

"The fact that I'm having this kind of legal problem goes to the crux of what I'm trying to say in this piece," he said.

Amtrak refused to approve

the ad, arguing that it does not allow political advertising on the 103-by-10-foot billboard Lebron had contracted to lease for two months at \$16,000 per month.

The court is expected to rule next year on whether Amtrak, which receives government subsidies, was acting as a government entity when it refused to approve the photo montage.

The artwork says, among other things, that Coors is "the Silver Bullet that aims the Far Right's political agenda at the heart of America."

A federal judge had or-

dered the train company to accept the ad, but the 2d U.S. Circuit Court overturned the ruling.

The Supreme Court's decision could provide important new guidelines on the protections afforded commercial and political speech.

It's not the first time Lebron has paid legal and advertising fees for the sake of his art.

In 1984 he won a court fight to buy space in the Washington Metro system to display a poster lampooning the Reagan administration's "Jellybean Republic."

## 1M menswear rob suits 'em fine

Nearly \$1 million in men's clothing was stolen over the weekend from Bijan Designer Fashion For Men on Fifth Ave., police said yesterday.

The heist of the expensive line of menswear occurred sometime between 7 p.m. Saturday, when the store closed, and 9 a.m. yesterday morning, when it reopened for business, said Bijan operations manager Melissa Fields.

The robbers broke into the posh store through a wall that was under construction in the Godiva Chocolate store next to Bijan, she said.

— Al Baker

# Mob traitor still alive, but won't testify

For fully the fifth time since Luchese family turncoat Alphonse (Little Al) D'Arco began singing to the feds three years ago, rumors are sweeping the underworld that the former acting boss is deceased.

This time, the rumor — quite false, Gang Land can tell you — was triggered by the feds' announcement that

D'Arco wouldn't be used at this week's racketeering and murder trial of mobster Richard (The Toupe) Pagliarulo in Brooklyn Federal Court.

The Toupe's former capo, Peter (Fat Pete) Chiodo, testified as prosecutors' lead-off gangster witness. Mob associates Corrado (Dino) Marino and Thomas (Tommy Irish) Carew will follow Chiodo to the witness stand.

Genovese soldier Ralph Gigante, on the other hand, is definitely dead. Family boss Vincent (Chin) Gigante's 64-year-old loanshark brother passed on earlier this month. AIDS was the cause, so the family is keeping the death very quiet, and all Gang Land's sources have declined to discuss how Ralph acquired the deadly disease. The wake was private, and the body was cremated.

Not yet dead, meanwhile, is ex-Colombo capo Greg Scarpa Sr., still a-withering away of AIDS in a federal pen and still hovering over the tale of the single most dug-up candy store in Brooklyn.

This story begins in 1983, when Scarpa ordered Carmine Sessa to kill a small-time burglar. Soldier Sessa dutifully shot the thug and buried him beneath the candy store after Scarpa locked him inside to do the job while Scarpa himself disposed of the gun, Sessa told the FBI last year after he turned and began to talk.

Five years later, the floor came up again after then-capo Victor (Little Vic) Orena and Luchese family underboss Anthony (Gaspape) Casso informed Sessa that Scarpa was believed to be an FBI informer and it would be a good idea to eliminate evidence of the burglar's killing.

They were right about the informer part. A bit frantic, Sessa obeyed Orena's order to dig the victim up — unearthing a skull and other body parts, stuffing them into a trash bag and dumping them in the bay off the Belt Parkway near Coney Island.

Since then, Sessa has turned informer himself. The FBI went digging at the candy store for a third time last year and found evidence that a body had been there once — but the medical examin-

## GANG LAND

JERRY CAPECI



er's office said yesterday there's no record that any of the late burglar has been recovered from the bay.

Sessa also told the FBI that it was Casso who once alerted the Colombos that a member of the Russian mob named Michael Markowitz, involved with the family in a bootleg gasoline scam, was an informer.

A native of Romania, Markowitz paid the price for that in May 1989, when he took three bullets in the chest near his Brooklyn home.

Colombo mobster Frank (Frankie The Bug) Sciortino, fingered by Sessa in the plot to kill Markowitz, currently awaits trial on murder conspiracy charges in Brooklyn.

The suspected triggerman, Israeli gangster Israel Mizrahi, and accomplice Joseph (Yosi) Reisch, are awaiting trial in Tel Aviv later this year for the slaying of Markowitz, an Israeli citizen.

Bonanno bookies Victor and Benito Iadarola lost their big gamble last week when a Brooklyn jury convicted them of state racketeering charges.

The Iadarolas' imaginative but unsuccessful defense: That they were long-time FBI informers and that agents had told them it was okay to run bookie joints in Brooklyn and Manhattan.

They face up to 25 years in prison, not to mention whatever sanctions the Bonannos impose on them for telling mob secrets.

Also facing family displeasure: Ex-Colombo capo Michael Franzese, so public and forthcoming about his having turned informer that he actually wrote a book about it. His 74-year-old father, legendary Colombo gangster John (Sonny) Franzese, got out of prison last month after serving eight years for violating parole by threatening a loanshark customer, and the elder Franzese is said to be most upset with his boy. Sources tell Gang Land that Michael is aware of the old man's anger, but is more concerned that feds will prosecute him for several killings in which he was recently implicated by yet another mob turncoat.